

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Madison Bennett,

Case: 1:24-mj-30377

Judge: Morris, Patricia T.

Filed: 09-03-2024

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 30, 2024 in the county of Isabella in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C §§ 113(a)(8), 1151 and
1153

Assault of an Intimate or Dating Partner by
Strangulation

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: September 3, 2024

City and state: Flint, Michigan

*Complainant's signature*

Nicholas Diedrich, Detective Sgt.

Printed name and title*Judge's signature*

Hon. Curtis Ivy, Jr., U.S. Magistrate

Printed name and title

Judge

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Nick Diedrich, being duly sworn, depose and state:

1. I am a police officer with the Saginaw Chippewa Tribal Police Department and have been employed as a police officer for approximately 15 years. I am also a sworn Bureau of Indian Affairs (BIA) federal officer. During my career I have been involved in numerous assault investigations. The following is based upon statements from witnesses and statements from other law enforcement officers.
2. The information included in this affidavit is provided for the limited purpose of establishing probable cause that MADISON L. BENNETT strangled Victim-1, his intimate or dating partner, on or about August 30, 2024, in violation of 18 U.S.C. §§ 113(a)(8), 1151 and 1153. This affidavit does not contain all of the facts known to me. Additionally, unless otherwise noted, wherever in this affidavit I assert that an individual made a statement, that statement is described in substance herein and is not intended to be a verbatim recitation of such statement.

Probable Cause

3. On Friday, August 30, 2024 at approximately 9:25 p.m., Isabella Central Dispatch dispatched law enforcement officers to a domestic violence incident at a residence on Crossway Lane, Mount Pleasant, Michigan. This residence is located on the Isabella Reservation in Indian country in the Northern Division of

the Eastern District of Michigan. Isabella County Sherriff Deputy Koutz initially responded to the scene along with units from the Michigan State Police and other deputies. When Deputy Koutz responded he could hear sounds of distress or fighting within the residence. Due to the sounds of distress, Deputy Koutz made an emergency entrance into the residence and then into a locked bedroom door where he heard the sounds coming from. When the door was opened, Deputy Koutz saw BENNETT standing over Victim-1 who was in a fetal position. Deputy Koutz immediately detained BENNETT, and rendered aid to Victim-1.

4. According to Deputy Koutz, it was immediately apparent Victim-1 had been violently beaten. Victim-1 had major swelling to her face to the point where she could not open her eyes. Victim-1 was crying and struggling to breathe. Deputy Koutz observed bruising to Victim-1's legs and her lower and upper lips were bloody and bruised. Victim-1 complained of rib and chest pain. While waiting for medical personnel, Victim-1 lost consciousness multiple times and Deputy Koutz had to perform a sternum rub her each time in order for Victim-1 to regain consciousness.
5. Saginaw Chippewa Tribal Police Officers arrived on scene shortly thereafter. Saginaw Chippewa Tribal Police Officer Daniel Berden made contact with Victim-1 who was lying on the floor. Victim-1 attempted to sit up but the slightest move caused her significant pain. Officer Berden asked Victim-1 what

she and her boyfriend BENNETT were fighting about. Victim-1 explained that BENNETT thought she was speaking to another male. Victim-1 went on to say she thought BENNETT might have broken her ribs. Victim-1 stated she and BENNETT have been in a sexual relationship for approximately one year. Victim-1 stated that she thought she might be pregnant. As Officer Berden tried speaking further with Victim-1, she went unconscious.

6. Medical personnel loaded Victim-1 into an ambulance and transported her to McLaren Central Michigan Hospital for medical attention. Due to Victim-1's injuries she began screaming as medical personal moved her out of the residence. As they moved her, Victim-1 was screaming and crying to be placed down and stated she needed a break from the pain.
7. A short time later, Officer Berden spoke with Victim-1 again while she was at McLaren Hospital. Victim-1 stated she was sitting in the living room minding her own business on her phone. Victim-1 stated BENNETT approached her and snatched her phone away from her because he thought she was talking to another guy. Victim-1 stated that BENNETT then punched her in the face. Victim-1 said she was punched in the face so hard it caused her to fall over onto the ground. Once on the ground, Victim-1 said that BENNETT kicked her in the stomach area about 12 times or more.

8. Victim-1 told Officer Berden that she then got up and left the residence. Victim-1 went to a neighbor's residence. Victim-1 stated that when she returned from the neighbor's residence, BENNETT started beating her again. Victim-1 stated BENNETT followed her into her bedroom. Victim-1 stated she sat on the bed and began speaking with BENNETT. Victim-1 said that BENNETT "flipped" again, grabbed her by her hair, and yanked her off the bed and onto the ground. Once on the ground, Victim-1 stated that the assault continued. Victim-1 said BENNETT punched her again in the face. Victim-1 described BENNETT getting on top of her and straddling her. Victim-1 stated BENNETT used his two hands and placed them around her neck and began to squeeze tightly. Officer Berden asked Victim-1 on a scale from 1 to 10, with 1 being the least amount of pain and 10 being the worst pain one has ever felt, how tight his grip was. Victim-1 rated her pain as a 10. Victim-1 stated BENNETT squeezed so hard she passed out. Victim-1 said that when she regained consciousness, BENNETT was kicking her in the stomach and chest over and over. Victim-1 stated she felt as if BENNETT strangled her for approximately 10 minutes. Victim-1 said the last thing she remembered was BENNETT saying he hated her and despises her. Victim-1 said she thought she was going to die while she was being strangled by BENNETT.
9. I am aware that Madison L. BENNETT is Native American.

10. Based on the above-described information, there is probable cause to believe that on or about August 30, 2024, in the Northern Division of the Eastern District of Michigan, within Indian country, as defined in 18 U.S.C. § 1151, that is, the Isabella Reservation, Madison L. BENNETT, an Indian, assaulted Victim-1, his intimate and dating partner, by strangulation, in violation of 18 U.S.C. §§ 113(a)(8), 1151 and 1153.


Nick Diedrich
BIA

Subscribed to before me and signed in my presence,
and/or by reliable electronic means.



HON. CURTIS IVY, Jr.
United States Magistrate Judge

Dated: September 3, 2024